

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

Matthew Hill & One Tree LLC, )  
)  
Plaintiff(s), )  
)  
v. ) Civil Action No. 2:24-cv-547  
)  
One Tree Planted, Inc., )  
)  
Defendant(s). )

## EVALUATOR'S REPORT

Please select one:

- |                                     |                          |
|-------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> | First Session Report     |
| <input type="checkbox"/>            | Second Session Report    |
| <input type="checkbox"/>            | Third Session Report     |
| <input type="checkbox"/>            | Corrected/Revised Report |
| <input type="checkbox"/>            | Supplemental Report      |
| <input type="checkbox"/>            | Other                    |

Gregory S. Clayton, the Early Neutral Evaluator, reports pursuant to Local Rule

16.1 (j) on the ENE session in this matter as follows:

(j)(1)(A):      **Date of session:**                      **Start time:**                      **Finish time:**  
                                 6/17/2025                      9:00 am                      2:45 pm

(j)(1)(B):	Names of attendees:	Role:	Settlement authority: (check only where applicable)
	<u>Matthew Hill</u>	<u>Plaintiff</u>	<u>✓</u>
	<u>Gary Franklin &amp; Madison Prokott</u>	<u>Plaintiff's counsel</u>	<u></u>
	<u>Hank Lynch (One Tree Planted)</u>	<u>Defendant rep</u>	<u>✓</u>
	<u>Shalon Zeferjahn (One Tree Planted)</u>	<u>Defendant rep</u>	<u></u>
	<u>Roger Colaizzi &amp; Calvin Nelson</u>	<u>Defense counsel</u>	<u></u>
	<u>Sara Krastins &amp; Andrew Steinberg</u>	<u>Defense counsel</u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>

(j)(1)(C): **Substitute arrangements regarding attendance:**  
None

---

(j)(1)(D): **Date parties' Evaluation Statements received by Evaluator:**  
**Plaintiff(s):** Date: 6/13/2025  
**Defendant(s):** Date: 6/13/2025

(j)(1)(E): **Oral presentations:**  
By plaintiff's counsel; waived by defense

---

(j)(1)(F): **Results of session:**  
(j)(1)(F)(i): ☒ Full settlement ☐ Partial settlement  
☐ No settlement

(j)(1)(F)(ii): **Stipulation to narrow the scope of dispute:** ☒ N/A

---

(j)(1)(F)(iii): **Agreement to limit discovery, facilitate future settlement, or otherwise reduce cost and delay related to trial preparation:** ☒ N/A

---

**Scheduling another ENE session:** ☐ Yes ☒ No

**Other comments** (please refer to L.R. 16.1(j)(2)):

As a result of extensive negotiations following the ENE, the parties have agreed to a settlement but will be filing a joint motion to stay to allow time to draft and execute a comprehensive settlement agreement.

---

Dated at Camden, Maine on this 10th day of July, 2025.

/s/ Gregory S. Clayton  
Gregory S. Clayton  
Evaluator

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

Matthew Hill & One Tree LLC, )  
 )  
 Plaintiff(s), )  
 )  
 v. ) Civil Action No. 2:24-cv-547  
 )  
One Tree Planted, Inc., )  
 )  
 Defendant(s). )

## CERTIFICATE OF SERVICE

I, Gregory S. Clayton, the Early Neutral Evaluator in the above-referenced matter, do hereby certify that on the 10th day of July, 2025, I served a copy of the foregoing Evaluator's Report on the parties as indicated below.

<u>All counsel of record</u>	✓	CM/ECF		CM/ECF		CM/ECF
		U.S. Mail		U.S. Mail		U.S. Mail
		Hand		Hand		Hand

Dated at Camden, Maine on this 10th day of July, 2025.

/s/ Gregory S. Clayton  
Gregory S. Clayton  
 Evaluator